

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:19-HC-2026-D

HILDRED MANUEL LYLES,)
Petitioner,)
v.) **ORDER**
KATY POOLE,)
Respondent.)

On June 12, 2019, Magistrate Judge Numbers issued an Order and Memorandum and Recommendation (“M&R”) and recommended that the court dismiss Lyle’s petition for a writ of habeas corpus [D.E. 7]. Lyles did not object to the M&R. On August 19, 2019, Lyles filed a frivolous “letter of rogatory” [D.E. 8].

“The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge’s report or specified proposed findings or recommendations to which objection is made.” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); see 28 U.S.C. § 636(b). Absent a timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Diamond, 416 F.3d at 315 (quotation omitted).

The court has reviewed the M&R and the record. The court is satisfied that there is no clear error on the face of the record. Accordingly, the court ADOPTS the conclusions in the M&R [D.E. 7] and DISMISSES the petition. The court DENIES a certificate of appealability. The clerk shall

close the case.

SO ORDERED. This 18 day of September 2019.

J. C. Dever
JAMES C. DEVER III
United States District Judge